

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

No. C 10-03561 WHA

Plaintiff,

v.

**ORDER REGARDING  
CONSTRUCTION OF  
CLAIMS TO BE TRIED**

GOOGLE INC.,

Defendant.

With respect to the 26 claims to be tried, the Court expects to advise the jury that all terms have their ordinary meaning, unless previously construed. If any party contends otherwise, then it must specify the claim, the term therein, and its proposed construction by **NOON ON DECEMBER 2, 2011**. Drafts must be exchanged seven calendar days before and an in-person conference must be held to work out differences within the seven-day period. Please try to stipulate to any meaning other than the ordinary meaning. By **NOON ON DECEMBER 9, 2011**, each side shall respond stating with particularity its objection, if any, to the proposed constructions. This pleading will be used by the judge for case and trial management purposes. A party may not deviate from any earlier claim construction contentions unless it is to accept the ordinary meaning, to stipulate to an agreed meaning, or to accept the other side's earlier contention.

**IT IS SO ORDERED.**

Dated: November 8, 2011.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE